




## MEMORANDUM

TO: Mayor and Council

FROM: Rhoda Mae Kerr, Fire Chief 

DATE: March 31, 2015

SUBJECT: Description of Fire Classification Ordinance Changes

The purpose of this memorandum is to provide information in response to several of the questions you raised during the Council meeting on March 26, 2015. The proposed amendment seeks to improve management span of control and experience level in staff positions within the Austin Fire Department (AFD). The following response addresses your questions about:

- the structure of the Wildfire Division, duties performed by Wildfire staff, and division accomplishments;
- an alternative that retains the Wildfire Division Battalion Chief and associated costs;
- the number of AFD Division Chiefs and others in the Executive ranks compared to peer cities of similar size;
- the promotional testing process - with and without a labor contract, expiration of lists, diversity within current promotional lists, and potential alignment with the budget process; and
- the impact of the consent decree on promotional processes and this request for changes in rank.

Should Council adopt this amendment, the intent is to promote two Division Chiefs and five Fire Specialists as soon as possible which also results in the promotion of a Battalion Chief, a Captain, a Lieutenant and another Fire Specialist. This change addresses the urgent needs of the upcoming wildfire season, recruiting for the 2015 cadet hiring process, and span of control issues in Operations. The proposed change to the Classification Ordinance would result in a savings of personnel costs of \$41,506 for the remainder of FY15, and an estimated increase of \$42,695 in FY16.

### Wildfire Division Structure and Accomplishments

AFD received funding to implement a Wildfire Division in the FY2013-14 Budget. The first year focused on hiring staff and setting goals. Some of the accomplishments over the last year include:

- Thirteen (13) Firewise communities have been established in the City of Austin - the highest of any municipality in the State.
- AFD has the most active “Ready, Set, Go” program (evacuation during wildfires) in the State, and the nation. In 2014, Austin was the first city to pilot the “Ready, Set, Go” curriculum in Spanish.

- Austin is the largest municipality in the State with a Community Wildfire Protection Plan.
- In FY 2013-14, over 400 acres of land were treated by prescribed burns and mechanical treatments. For FY 2014-15, the Wildfire Division's goal is to treat a total of 350 acres.

An organizational chart of the Wildfire Division, before and after changes to the classification of ranks, can be found in Attachment A. In February 2015, the Wildfire Division had separate management chains of command because civilian employees cannot supervise sworn employees. In the re-organized structure, all Wildfire Division employees report through the same chain of command to the Division Chief.

The management duties of Division Manager Linardos and Battalion Chief Girouard will be covered by the new Division Chief. Management duties have changed as the Wildfire Division has shifted from an Implementation Phase to a Maintenance Phase. Outreach and developing partnerships with other organizations, as well as developing and conveying the Wildfire Division's vision and goals, is taking less time and can be handled by one person.

Currently administrative duties in the Wildfire Division are being handled by the Captains and Lieutenants and it is reducing the time they spend on community outreach and project coordination duties. Administrative responsibilities will be transferred to the new Administrative Specialist. The responsibilities of other personnel will remain the same, but they will have a different, unified, reporting structure.

#### Retaining the Wildfire Battalion Chief Position and Associated Costs

The proposed Classification Ordinance uses an existing Battalion Chief position, and the budgeted salary for the position, to create a Division Chief over Wildfire. In this scenario, the Battalion Chief's vehicle and equipment would be handed over to the new Division Chief. The cost of the conversion is \$78,358 for six months of a beginning Division Chief's pay, minus \$73,349 for six months of the existing Battalion Chief's pay, for a net increase of \$5,009. The net increase is covered by savings from a vacant Environmental Program Coordinator position - the Wildfire Burn Boss. The Burn Boss position has been vacant for seven pay periods for a savings of \$25,100. The additional cost of the Division Chief in FY16 would be approximately \$10,018.

In order to retain the Wildfire Battalion Chief and create a Division Chief over Wildfire and Outreach, a vacant Firefighter position can be converted and a new vehicle and equipment must be purchased (\$70,700). AFD does not have additional vacant Firefighter positions in Staff assignments, so the vacant Firefighter position would come from Operations. The cost of the vehicle and equipment could come from the Wildfire Division budget in lieu of project spending.

The cost to create a Division Chief from a Firefighter position for six months is equal to \$78,358 minus \$43,700 for a net increase of \$34,658 in FY15. The net increase can be covered by the savings from the vacant Burn Boss if it remains unfilled for additional pay periods. It could also be covered by savings from the conversion of the Wildfire Program Manager to an Administrative Specialist. The additional cost for the Wildfire Division Chief in FY16 would be approximately \$69,314.

All told, the net impact of a Classification Ordinance that retains the Wildfire Battalion Chief would result in a savings of personnel costs of \$4,228 for the remainder of FY15, and an estimated increase of \$101,992 in FY16.

Converting a Firefighter to a Division Chief also creates promotions for new personnel into the ranks of Fire Specialist, Lieutenant, Captain and Battalion Chief. There will be additional cost incurred for these promotions depending on the seniority of the person being promoted and any new equipment they may need. If Council recommends retaining the Wildfire Battalion Chief, a new Classification Ordinance would need to be drafted by City Legal to reflect the change in numbers at each rank:

	Adopted October 1, 2014	Proposed March 26, 2015	Retaining the Wildfire Battalion Chief April 2, 2015
Assistant Chief	5	5	5
Division Chief	6	8	8
Battalion Chief	34	33	34
Captain	71	71	71
Lieutenant	185	185	185
Fire Specialist	196	201	201
<u>Firefighter</u>	<u>632</u>	<u>626</u>	<u>625</u>
TOTAL	1,129	1,129	1,129

#### Comparison of Executive Ranks to Peer Cities

The executive ranks of the Fire Departments in Dallas, Fort Worth, San Antonio, and El Paso are compared to Austin in Attachment B. The number of Chiefs in the rank one-below the Fire Chief (AFD Assistant Chiefs) ranges from 3 to 9 with AFD having 5 Assistant Chiefs. The number of Chiefs in the rank two-below the Fire Chief (AFD Division Chiefs) ranges from 4 to 15 with AFD currently having 6 Division Chiefs and requesting 2 more. The ratio of the top three ranks (Executive level) to all sworn staff is also provided.

One of the requested Division Chiefs is needed to reduce the number of direct reports to the Assistant Chief over Operations. The Operations Assistant Chief supervises two Battalion Chiefs and three Shift Commanders (Division Chiefs) who supervise over 900 firefighters. The reporting structure seriously limits the Assistant Chief's ability to manage projects, research policy issues, and review discipline and professional development for his personnel. The newly created Operations Division Chief will manage the Battalion Chiefs over Special Operations, Airport Operations, medical training and certification, and the Safety Chiefs.

#### The Promotional Process

The promotional process is defined by Chapter 143 of the Local Government Code when the City does not have a labor agreement with the Austin Firefighters Local 975 which is the organization designated to bargain on behalf of all AFD firefighters. Chapter 143 describes a testing process that requires an annual 100 question written exam to rank order promotion candidates. Past collective bargaining labor contracts have included the right to include assessment centers for candidates at the upper ranks. Assessment centers usually include structured oral components that gauge the candidates' communication, management and leadership skills.

When transitioning from a year with no labor contract to the implementation of a new labor contract, the promotional lists that are in place will stay in place until they expire. The following chart provides information on the expiration of current lists, the race/ethnicity of those remaining on the current lists, and when new tests will be administered.

Rank	List Expiration Date	Race/Ethnicity of Top 5 Remaining Candidates (All candidates are Male) W=White; B=Black; H=Hispanic Gold color indicates those who will be promoted with a change to the classification.							Testing Date for New List
		1	2	3	4	5	6	7	
Order on list									
Division Chief	05/20/15	W	W	H	W				To Be Determined
Battalion Chief	08/19/15	W	H	H	W	H			To Be Determined
Captain	04/15/15	W	W	W	W	W			04/16/15
Lieutenant	04/29/15	W	W	W	W	W			04/30/15
Fire Specialist	05/02/15	W	B	W	W	W	W	W	05/05/15

The chart also shows how the administration of promotional tests is staggered over several months. While the Fire Department is consulted on the promotional test content, the City of Austin Human Resources Department – Civil Service Office coordinates and administers the tests. The Civil Service Administrator oversees testing for all ranks at all three public safety departments. Getting all the tests to synchronize with the beginning of the budget cycle would create problems with regard to the number of sworn simultaneously taking time off to study for tests, the logistics for scheduling locations for test administration, and the volume of test-takers filing protests over test questions that need to be addressed individually by the Civil Service Commission in a timely manner.

#### Consent Decree Impact

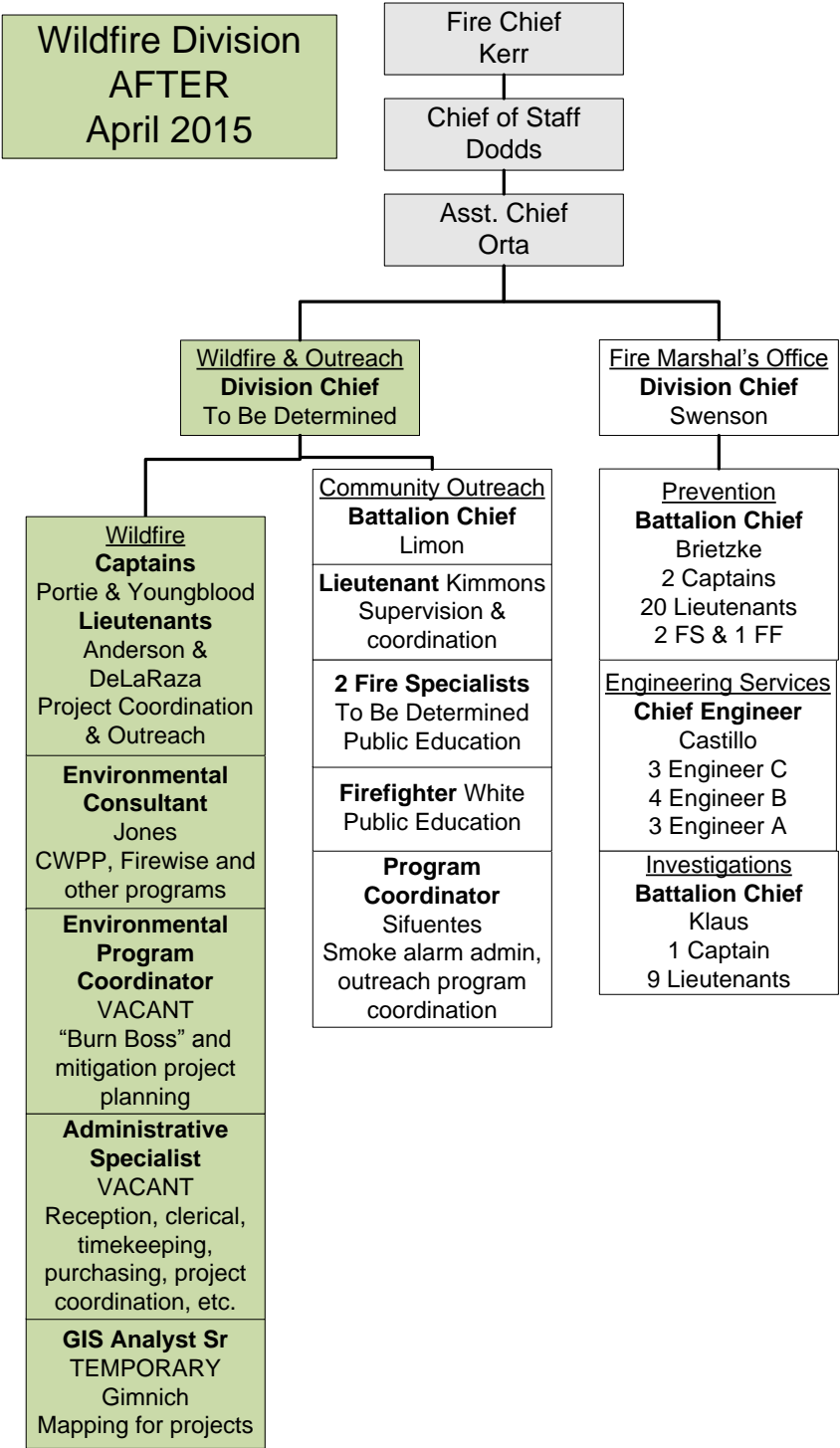
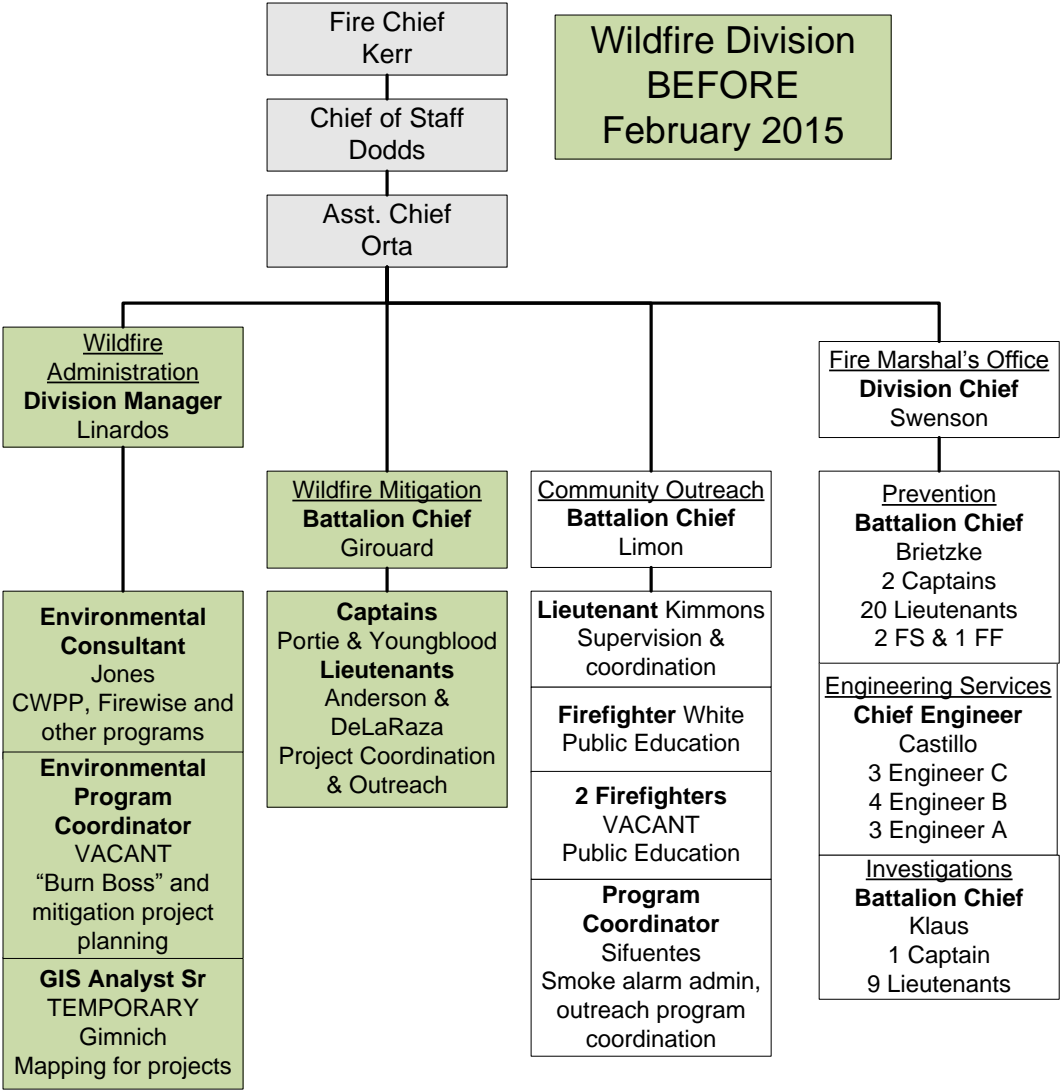
While the consent decree sends a clear message regarding the importance of diversifying the Austin Fire Department, the decree is focused on the selection tools used in the hiring of cadets. The Department of Justice has not investigated AFD's promotional processes and the decree does not speak to current promotional practices within the department. Negotiation of the design of future promotional processes during collective bargaining has considered the importance of diversity, but, as you know, those negotiations are ongoing.

The request to reclassify two vacant Firefighter positions assigned to Recruiting to the rank of Fire Specialist will have a direct positive impact on the department's ability to reach out to targeted groups and meet the requirements of the consent decree. In the department's Recruiting Section, the Fire Specialists will report to a dedicated Lieutenant. They will work with an Administrative Specialist coordinating the Pass the Torch program, two Firefighters on Special Assignment from Operations doing outreach to recruits, and two temporary Administrative personnel who will monitor social media and provide receptionist duties. The Fire Specialists created by this request for a rank upgrade will be seasoned sworn representatives of the department doing outreach to African American and Hispanic communities to encourage qualified applicants to join the Austin Fire Department in the 2015 hiring cycle.

Please let me know if you have further questions about our request.

cc: Marc A. Ott, City Manager  
Rey Arellano, Assistant City Manager

ATTACHMENT A



Comparison of Executive Ranks  
Largest Fire Departments in Texas\*

	Dallas	AUSTIN	San Antonio	Ft. Worth	El Paso	Proposed AFD
Department Type	Fire/EMS	Fire	Fire/EMS	Fire	Fire/EMS	Fire
Population	1,300,000	850,000	1,407,000	793,000	700,000	850,000
All Sworn Staff	1,800	1,129	1,663	908	918	1,129
Fire Chief	1	1	1	1	1	1
One rank below Fire Chief (AFD Assistant Chief)	6	5	6	9	3	5
Two Ranks below Fire Chief (AFD Shift Commander/ Division Chief)	11	6	11	4	15	8
TOTAL Executive Rank	18	12	18	14	19	14
<b>Ratio of Executive Rank to All Sworn Staff</b>	1 Exec for every 100 sworn	1 Exec for every 94 sworn	1 Exec for every 92 sworn	1 Exec for every 65 sworn	1 Exec for every 48 sworn	1 Exec for every 81 sworn

\*Houston Fire Department did not respond to our request for information.

revised 03/31/15